

**SAFETY BELT VIOLATIONS AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael K. McKell**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE****General Description:**

This bill ~~H→~~ [~~limits to a first violation the requirement of a court to waive a fine for certain safety belt violations.~~] amends provisions to allow a court to waive a fine for failure to use a child restraint device in certain circumstances. ~~←H~~

**Highlighted Provisions:**

This bill:

▶ ~~H→~~ [~~revises a provision related to a safety belt violation to require the court to waive a fine only for a first violation.~~] amends provisions to allow a court to waive a fine for failure to use a child restraint device in certain circumstances. ~~←H~~

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:****41-6a-1805**, as last amended by Laws of Utah 2017, Chapter 406

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*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **41-6a-1805** is amended to read:**41-6a-1805. Penalty for violation.**

(1) (a) A person who violates Section 41-6a-1803 is guilty of an infraction and shall be fined a maximum of \$45.



(b) Until July 1, 2018, a peace officer may not issue a citation to an individual for a violation of Section 41-6a-1803 if the person has not previously been warned for a violation of Section 41-6a-1803 but shall issue the individual a warning informing the individual that operating or being a passenger in a vehicle without wearing a properly adjusted and fastened safety belt is prohibited.

(c) The court ~~H→~~ [~~shall~~] may ~~←H~~ waive all of the fine for a ~~H→~~ [~~first~~] ~~←H~~ violation of Subsection 41-6a-1803(1) ~~H→~~ [~~(b)~~] (a)(ii) ~~←H~~ if the person submits proof of acquisition, rental, or purchase of a child restraint device.

(2) Points for a motor vehicle reportable violation, as defined under Section 53-3-102, may not be assessed against a person for a violation of Section 41-6a-1803.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**